

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JASON D. COHEN, M.D. FACS AND  
PROFESSIONAL ORTHOPAEDIC  
ASSOCIATES, PA AS ASSIGNEE AND  
DESIGNATED AUTHORIZED  
REPRESENTATIVE OF PATIENT AM,

Plaintiff,

v.

HORIZON BLUE CROSS BLUE SHIELD OF  
NEW JERSEY,

Defendant.

Civil Action No.: 15-4525 (JLL) (JAD)

**ORDER**

This matter comes before the Court by way of Defendant Horizon Blue Cross Blue Shield of New Jersey (“Horizon” or “Defendant”)’s Motion to Dismiss the Complaint filed against it by Plaintiffs Jason D. Cohen, M.D FACS (“Dr. Cohen”) and Professional Orthopedic Associates, P.A. (“POA”) (collectively “Plaintiffs”) under Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6). (ECF No. 4.) For the reasons set forth in the Court’s corresponding Opinion,


**IT IS** on this 15 day of October, 2015,

**ORDERED** that Defendant’s Motion to Dismiss is GRANTED; and it is further

**ORDERED** that Plaintiffs’ Complaint is dismissed without prejudice; and it is further

**ORDERED** that Plaintiffs may file an Amended Complaint by Friday, December 4, 2015 to address the deficiencies identified in the Court’s corresponding Opinion. Failure to file an Amended Complaint by Friday, December 4, 2015 will result in a dismissal *with* prejudice.

**IT IS SO ORDERED.**

  
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JOSE L. LINARES  
UNITED STATES DISTRICT JUDGE